

<p style="text-align: center;"><b>Bidder Questions and Answers</b>  <b>Furniture, All Types (Except Hospital Room and Patient Handling) (Statewide)</b>  <b>Solicitation 23295</b>  <b>May 26, 2023</b></p>				
Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
1	Attachment 1 - Pricing	Attachment 1 - Pricing	Please confirm if we can denote a unique sku, color, finish with an "X". To offer every item we make would be thousands of variations.	<p>Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.</p> <p>Bidders are allowed the following three options for pricing submission:  -A completed Attachment 1 - Pricing  -A catalog with pricing  -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</p>
2	Solicitation Main Document	Section 5.3 - Price	<p>Solicitation states: Bidders must submit an Electronically Searchable Price List, such as Attachment 1 - Pricing or manufacturer's Price List in either MS Excel or PDF format, which includes base models, as well as options and/or upgrades, based upon the Categories being bid on.</p> <p>Question: If the bidder opts to provide the Manufacturer's Searchable Price List, should the Attachment 1 - Pricing spreadsheet be submitted with the bid, stating Searchable Price List Is Enclosed?</p>	<p>Bidders are allowed the following three options for pricing submission:  -A completed Attachment 1 - Pricing  -A catalog with pricing  -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</p> <p>If a catalog with pricing is submitted, Attachment 1-Pricing is not required.  Per the Main Solicitation Document Section 5.3 - Price: "Bidders must submit an Electronically Searchable Price List, such as <b>Attachment 1 – Pricing, a PDF catalog or manufacturer's Price List in either MS Excel or PDF format</b>, which includes base models, as well as options and/or upgrades, based upon the Categories they are bidding (See Attachment 13 - Category Matrix). Should a Bidder submit an Electronically Searchable catalog that does not contain pricing, an additional Price List containing pricing by Contractor Model/Item Numbers/SKU for those items must be submitted, in addition. Attachment 1 – Pricing may be used; however, it is not required."</p>
3	Attachment 1 - Pricing	Attachment 1 - Pricing	<p>We are a manufacturer with two brands that carry different discounting, however both brands are under the Corporation's same Federal ID Number.</p> <p>Question: Based on this information, would the State of New York prefer to have both brands shown on the same Attachment 1 - Pricing spreadsheet or should each brand be shown on separate spreadsheets?</p>	<p>Attachment 1 - Pricing has been revised. The required entry for Catalog/List Price Name in Cell H-2 has been removed.</p> <p>All items bid must be included on a single Attachment 1 - Pricing spreadsheet. Additional rows may be added to the Required Info-23295 Pricing tab.</p>
4	Solicitation Main Document	Section 4.1 - Method of Award	Does the discount need to be equal to or better that any other offered to all State contracts and GSA contract?	Per the Main Solicitation Document Section 4.1 - Method of Award: " Pricing shall be a discount from Manufacturer's List Price and shall be equal to or better than any other offered to another Government Entity for the same type of products. Discounts will be confirmed by comparison with other Government Entity contracts held by the Bidder. The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure"
5	Solicitation Main Document	Section 4.1 - Method of Award	Is a copy of price lists indicating discount for each government entity contract that we hold required?	Yes. Per the Solicitation Main Document Section 4.1 - Method of Award: "The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications."
6	Solicitation Main Document	Section 1.2 - Scope	We request that chair dolly's and table carts be reconsidered for inclusion in the scope of work. Otherwise an agency may buy stack chairs on contract, but the related cart is not on contract making movement of those items challenging.	The Solicitation has been revised-Exclusion #8 - Dollies, chair and table carts has been removed. Dollies, chair and table carts are now included under Categories 1, 7, and 8. Please see revised Section 1.2 - Scope, and Revised Attachment 13-Category Matrix.

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7	Solicitation Main Document	Section 2.2.3 - Catalogs	Most manufacturers, dealers and designers no longer use price lists to specify product and instead use electronic specification tools. Those tools are able to access current and prior price lists. Will the state consider responsive a reference to a price list "name and date" in a single document versus a manufacturer creating a price list that does not actually exist otherwise?	<p>No. The use of electronic specification tools is not permitted. Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"> <li>-A completed Attachment 1 - Pricing</li> <li>-A catalog with pricing</li> <li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li> </ul> <p>Per the Main Solicitation Document Section 5.3 - Price: "Bidders must submit an Electronically Searchable Price List, such as Attachment 1 – Pricing, a PDF catalog or manufacturer's Price List in either MS Excel or PDF format, which includes base models, as well as options and/or upgrades, based upon the Categories they are bidding (See Attachment 13 - Category Matrix). Should a Bidder submit an Electronically Searchable catalog that does not contain pricing, an additional Price List containing pricing by Contractor Model/Item Numbers/SKU for those items must be submitted, in addition. Attachment 1 – Pricing may be used; however, it is not required."</p>
8	Solicitation Main Document	Section 2.2.3 - Catalogs	The request that suppliers manually remove excluded items from a price list may be considered onerous as some of the descriptions may be subjective. Will the state instead guide the agencies to not buy those products on contract?	<p>While Section 4.5(D) Procurement Instructions for Authorized Users states, "When placing orders under this Award, the Authorized User should follow and be familiar with the terms and conditions governing the Contract and are responsible for determining that the product(s) they intend to purchase fit within the scope of the Award", Section 2.2.3 - Catalogs also states, "Catalogs and Price Lists provided must reflect all products excluded from the resultant Contract, either through the omission of those portions or by obvious indications, within the catalogs and Price Lists."</p> <p>Bidders should only include those items that are in scope of the Solicitation.</p>
9	Solicitation Main Document	Section 2.2.3 - Catalogs	Will the state allow a cover sheet to a pricer with the State's language around exclusions instead of manually removing select items?	No. Per the Solicitation Main Document Section 2.2.3 - Catalogs: "Catalogs and Price Lists provided must reflect all products excluded from the resultant Contract, either through the omission of those portions or by obvious indications, within the catalogs and Price Lists."
10	Attachment 16 - Proof of Past Sales	Attachment 16 - Proof of Past Sales	Will the State allow a summary description of items sold during a one-year period versus listing each item number on each order sold? For example, may we show 3 rows reflecting individual years of total sales of furniture to the State of NY?	No. Per the Main Solicitation Document Section 2.1.1 - Bidder Qualifications E.: "The Bidder shall provide proof of past sales information that contains at a minimum the Contract Number or purchase order number the sale(s) were made under, the Government Entity name, product item number and description, date of sale, list price, discount percentage, and net sale amount."
11	Solicitation Main Document	Section 2.2.3 - Catalogs	Are specials allowed if they have a part number and list price, but are not found in the catalog? For example, a modification of an existing conference table that is 3" larger or smaller?	No. Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
12	Solicitation Main Document	Section 1.2 - Scope	In the past we have used a suffix (CUST) identifier for customized products, listing a Not To Exceed price on the pricelist under the CUST listed. Can we continue this way or do we need to only offer Standard Product?	No. Per the Main Solicitation Document Section 1.2 - Scope, "Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.), and List Price will not be allowed."
13	Solicitation Main Document	Section 1.1 - Overview	Does the term Multiple-award mean that one manufacturer's product line can be awarded to a vendor and a manufacturer?	No. Multiple-award means that more than one bidder will be awarded a contract under this Solicitation. Per Section 4.1 Method of Award: Awards shall be made to all responsive and responsible Bidders that are able to meet the terms and conditions of this Solicitation and the requirements detailed in Section 2 - Bidder Qualifications and Service Requirements, and whose product offerings meet the Scope of this Solicitation, as detailed in Section 1.2 - Scope and whose prices indicate that those products will be provided at a reasonable price as determined by the NYS OGS.
14	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	Is it mandatory to meet the MWBE 30% participation goal along with 6% for SDVOB to receive a contract? Or, during the bid phase, if a company shows a good faith effort, will it be a cause for denial of a potential contract award?	<p>All Bidders are required to submit a completed MWBE 100 form and SDVOB 100 form to be considered for Contract Award. Both the MWBE and SDVOB goals are for the term of the Contract Award, including any extensions.</p> <p>"In accordance with Section 3.4 Content – the list of the required bid documents is provided of which the Completed MWBE 100 – MWBE Utilization Plan (signed and scanned) is expected." In addition, under Section V. MWBE Utilization Plan; " A. In accordance with 5 NYCRR § 142.4, Bidders are required to submit a completed Utilization Plan on Form MWBE 100 with their bid."</p>

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15	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	For the 30% MWBE participation requirement, would we have to utilize 15% for MBE and 15% for WBE, or can we use 30% for MBE only, along with having to meet the 6% for SDVOB?	Per Section 5.20 IV Contract Goals-A: The total Contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under the contract. This requirement is in addition to the 6% SDVOB Goals.
16	Solicitation Main Document	Section 2.2 - Service Requirements	In the bid documents it talks about adding a percentage for Inside delivery and a different one for installation. Is this applied per order or per line?	Per Sections 2.2.1 and 2.2.2 inside delivery and installation may be at an additional cost represented by a percentage above the net price charged and may be charged at a different percentage rate for Downstate and Upstate. The intent is for these charges to be applied per net order.
17	Solicitation Main Document	Section 2.2.1 - Delivery	Confirm that all pricing is to include freight and dock delivery. Bidder understands a % upcharge can be added to net product pricing for inside delivery and installation on Attachment 10.	Per the Main Solicitation Document Section 2.2.1 - Delivery D.: "Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State, as designated by the Authorized User, including dock delivery and tailgating of load, which means bringing the truck to the loading dock or loading area and bringing the load to the tailgate of the truck or liftgate for Authorized User personnel to remove the load without entering the truck. In addition, upon agreement, delivery locations may be expanded per the "Extension of Use" clause." Additionally, B.Section 2.2.2 Installation includes inside delivery as described in Section 2.2.1 – Delivery; however, it is intended for the additional work involved with regard to assembly of other than free-standing furniture, such as systems furniture, high density filing, and furniture shipped KD ("Knocked Down"), and any other assembly not considered minor assembly as described in Section 2.2.1 – Delivery. Installation does not include repairs or moving. The Authorized User must specify at time of order, and prior to delivery, if installation is required.
18	Solicitation Main Document	Section 2.2.1 - Delivery	On most contracts the installers will take the product off the truck. You are asking for delivery on to a dock? Does this mean that our drivers are responsible for the off load. Because typically there is one driver and much easier to be done under the installers scope of work. Additionally, if we are to include unloaded truck, our Government contracts allow for unloads to be part of the installers work, thus, not really possible to give same discount as our Government contracts. How do you suggest we handle?	<p>For orders that require installation, per Section 2.2.2. C 1: Installation shall include the following: 1. Inside delivery to the pre-agreed upon building location. The intent is for the installers to take the product off of the truck.</p> <p>OGS cannot assist bidders with regard to how they should provide discounts under the Solicitation outside of the requirements.</p> <p>Additionally per Section 5.5 - Best Pricing Offer "During the Contract term, if the Commissioner becomes aware that the Contractor is selling substantially the same or a smaller quantity of a Product outside of this Contract upon the same or similar terms and conditions as that of this Contract at a lower price to a federal, state or local governmental entity, the price under this Contract, after consultation with the Contractor, may be reduced to a lower price on a prospective basis at the discretion of the Commissioner. The Commissioner reserves the right to request information to verify pricing for the purposes of this clause."</p>

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19	Solicitation Main Document	Section 2.2.2 - Installation	On seating, Government contracts allow us to add additional charges for installation of chairs and you do not. Can we give you less of a discount to allot for this? Government contracts have such tight margins, to also include the installation for free would mean that we would not be able to offer the same discount, but we can be close. How do you suggest we handle?	<p>Per the Main Solicitation Document Section 4.1 - Method of Award: " Pricing shall be a discount from Manufacturer's List Price and shall be equal to or better than any other offered to another Government Entity for the same type of products. Discounts will be confirmed by comparison with other Government Entity contracts held by the Bidder. The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure".</p> <p>OGS cannot assist bidders with regard to how they should provide discounts under the Solicitation outside of the requirements.</p> <p>Additionally per Section 5.5 - Best Pricing Offer "During the Contract term, if the Commissioner becomes aware that the Contractor is selling substantially the same or a smaller quantity of a Product outside of this Contract upon the same or similar terms and conditions as that of this Contract at a lower price to a federal, state or local governmental entity, the price under this Contract, after consultation with the Contractor, may be reduced to a lower price on a prospective basis at the discretion of the Commissioner. The Commissioner reserves the right to request information to verify pricing for the purposes of this clause."</p>
20	Solicitation Main Document	Section 3.3 - Format of Bid Submission Section 3.4 - Content	"Situations where Bids are susceptible to Disqualification may include: 2. Absent Price Pages (Electronically Searchable Price List (such as Attachment 1 – Pricing (Excel)), a PDF catalog or manufacturers Price List (PDF or Excel)), which are not acceptable." In Section 3.4 Content, Required Bid Documents, Line 2 states, "Completed Attachment 1 – Pricing (must be submitted as an Excel file) see requirements below: Attachment 1 Requirements, (or a PDF catalog or manufacturers Price List)" and has the required Electronic File Format listed as Excel only. <b>Please clarify if a searchable PDF price list is acceptable and if this is in place of a completed Attachment 1 - Pricing.</b>	<p>Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"><li>-A completed Attachment 1 - Pricing</li><li>-A catalog with pricing</li><li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li></ul> <p>As indicated in the Main Solicitation Document Section 5.3 - Price: Bidders must submit one of three options: "Bidders must submit an Electronically Searchable Price List, such as Attachment 1 – Pricing, a PDF catalog or manufacturer's Price List in either MS Excel or PDF format, which includes base models, as well as options and/or upgrades, based upon the Categories they are bidding (See Attachment 13 - Category Matrix). Should a Bidder submit an Electronically Searchable catalog that does not contain pricing, an additional Price List containing pricing by Contractor Model/Item Numbers/SKU for those items must be submitted, in addition. Attachment 1 – Pricing may be used; however, it is not required."</p>
21	Solicitation Main Document	Section 3.4 - Content	"Electronic copies of documents provided in PDF format should be saved as an Adobe Acrobat PDF, AND THEN converted to allow for Optical Character Recognition (OCR) (see <a href="https://www.adobe.com/acrobat/how-to/ocr-software-convert-pdf-to-text.html">https://www.adobe.com/acrobat/how-to/ocr-software-convert-pdf-to-text.html</a> )." Does this apply to bidders that already have Adobe Acrobat DC? Bidder tested printing a word (.docx) document to PDF and followed the instructions on provided website link, but provided website does not say where to save as OCR. The understanding is that OCR happens when you select the option to "Edit PDF" within Adobe Acrobat DC. Can you elaborate on what file extension bidders are to submit with response? The options within Adobe Acrobat DC are to "Save As", "Save as Other", or "Export To". What options are bidders to select when saving and/or exporting PDF files?	<p>Required Bid Documents should be saved in the file format indicated in the Main Solicitation Document Section 3.4 – Content. PDF documents must be converted to allow for Optical Character Recognition using the Edit function in Adobe Acrobat prior to saving the PDF documents.</p>
22	Solicitation Main Document	Section 5.3 - Price	A. states that Attachment 1 - Pricing may be used, but is not required. If bidders are submitting searchable PDF price lists, must bidders also submit Attachment 1 in excel format with Column G and I W completed (as applicable) as a single row that represents entire product line price list?	<p>Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"><li>-A completed Attachment 1 - Pricing</li><li>-A catalog with pricing</li><li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li></ul> <p>If a catalog with pricing is submitted, Attachment 1-Pricing is not required.</p>

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23	Attachment 1 - Pricing	Pricing Instructions	Instructions do not include adding tabs for each individual manufacturer price list. Number 2 states, "Bidder shall enter the catalog or list price name and date in cell H2 on tab "Required Info-23295 Pricing" and then number 6 states, "Additional rows may be added to the Required Info-23295 Pricing tab. Any attempt to make other changes to the spreadsheet, such as adding or deleting columns, formulas, changing column headers, etc., may result in rejection of the bid." If a manufacturer has 17 different price lists with different names to represent individual product lines and cell H2 must include name of the specific product line catalog/price list as well as date, bidders would need multiple tabs to represent each individual price list. Bidders want to avoid rejection, but want to accurately provide information. Do bidders have permission to create additional tabs for each individual catalog/price list?	<p>No, Bidders may not add additional tabs to Attachment 1-Pricing. All items bid must be included on a single Attachment 1 - Pricing spreadsheet. Additional rows may be added to the Required Info-23295 Pricing tab. Any attempt to make other changes to the spreadsheet, such as adding or deleting columns, formulas, changing column headers, etc., may result in rejection of the bid.</p> <p>Attachment 1 - Pricing has been revised. The required entry for Catalog/List Price Name in Cell H-2 has been removed.</p>
24	Attachment 3 - Encouraging Use of NYS Businesses	Attachment 3 - Encouraging Use of NYS Businesses	If bidders utilize authorized resellers in New York, must bidders list all of the New York based authorized resellers on this form?	Yes. Bidders are strongly encouraged to submit this information. Per Attachment 3 Encouraging Use of New York Businesses " Bidders for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles".
25	Attachment 5 - Bidder Information Questionnaire	Question 20 - Does Bidder have a contract with any other federal, state or local governmental entity, including General Services Administration (GSA) / Veterans Affairs (VA), on similar products, quantities, terms and conditions? If yes, provide a link for each contract, if available.	Bidder has over 30 government contracts that are comparable in scope to this solicitation. Are bidders to list and provide links to pricing for all 30+ contracts?	Yes. Bidders are expected to enter as many links as possible within the cell, however, if necessary, a separate attachment, provided in electronic format, with each contract link will be accepted.
26	Attachment 10 - Contact and Supplemental Information	Price List Name & Date Volume Discounts	If bidders are offering more tier volume discount levels than are shown, are bidders allowed to add additional columns for additional levels of tiered volume discounting?	Yes. Additional columns may be added for Volume Discount(s).
27	Attachment 16 - Proof of Past Sales	Attachment 16 - Proof of Past Sales	Can bidders list their current State of New York contract past sales for this requirement or do bidders need to use other than State of New York contract past sales? For example, bidder sold \$2.6 million in 2022 on the State of New York contract. Do we need to include sales for 2020 and 2021 or can bidder just report the 2022 sales due to being over the specified \$1.5 million dollar amount?	<p>Yes, Bidders may use OGS contract sales within the years required to meet the proof of past sales requirements; however, per Section 2.1.1 - Bidder Qualifications E. 3.: "Proof of past sales revenue must be related to the Furniture products included within Section 1.2 – Scope. Bidders must show proof of past sales revenue in each of the three calendar years prior to the bid opening and may not have less than \$100,000 in sales revenue during any single year within the required 3-year period."</p> <p>Bidders must show a minimum of \$100,000 in any of the three years prior to the bid opening.</p>
28	Solicitation Main Document	Section 1.2 - Scope	In order to meet the unique needs of an end-user, we have the ability to customize many of our products. These customized products are referred to as "specials." These specials are defined as modifications to existing products that will still maintain the primary product function and warranty; for example, if an end-user requires a bookcase that needs five shelves instead of four. Specials are uniquely priced based upon the requested modification; as such, the list prices and model numbers of the special are not published in our catalog or our list pricer. Please clarify if we can offer this "special" program at contract discounts with approval from each individual agency at time of quote when base model is in the price list?	Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
29	Attachment 1 - Pricing	Column G - Product Description	If we have multiple brands, can we complete Attachment 1 by applying a discount to each brand instead of listing every single model and option which would be billions of line items?	<p>Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"> <li>-A completed Attachment 1 - Pricing</li> <li>-A catalog with pricing</li> <li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li> </ul> <p>Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.</p>



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30	Attachment 14 - Supplier Manufacturer's Certificate	Attachment 14 - Supplier Manufacturer's Certificate	If we are the Bidder/Manufacturer are we required to complete this form?	Manufacturers submitting a Bid are not required to complete Attachment 14 - Supplier Manufacturer's Certificate.
31	Attachment 10 - Contact and Supplemental Information	Attachment 10 - Contact and Supplemental Information	Top 5- How would the State like us to prioritize which category we list if we have products currently that fit into multiple categories - example: lounge is in library- dormitory, household, etc.	With regard to Bidders providing the top 5 in-scope Authorized User requested items found in Price List(s) and their associated Category(s), OGS suggests Bidders select a single Category that is most applicable to each item.
32	Solicitation Main Document	Section 5.3 - Price	If we are submitting a searchable PDF Manufacturer's price list instead of Attachment 1 excel sheet, are we required to submit Attachment 1? If yes, how do we enter a list price in Attachment 1 when we aren't submitting model numbers?	<p>No. Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"><li>-A completed Attachment 1 - Pricing</li><li>-A catalog with pricing</li><li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li></ul> <p>Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.</p>
33	Solicitation Main Document	Section 5.3 - Price	Please confirm price list is held 1 year from bid opening date and not bid award date.	Yes. Per the Main Solicitation Document Section 5.3 - Price I.: "Price Lists submitted with the Bid shall remain in effect for one (1) year from the Bid Opening Date. Price List Updates will be allowed twice per year thereafter, during the Contract term or extension, beginning on or around the anniversary of the Bid Opening Date, as per Section 5.4 - Price List Updates."
34	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women VII - Required Good Faith Efforts	Are we required to submit documented efforts with bid submission?	All Bidders are required to submit a completed MWBE 100 to be considered for Contract Award. Per Section 5.20 VII. Required Good Faith Efforts-In accordance with 5 NYCRR § 142.8, Contractors must document their good faith efforts toward utilizing MWBEs on the Contract. Refer to the Section in it's entirely for requirements pertaining to evidence of required good faith efforts.
35	Solicitation Main Document	Section 5.12 - Product Returns and Exchanges	Products returned or exchanged due to Authorized User errors, shall be replaced with specified Products or the Authorized User shall be credited or refunded for the full purchase price. Our Products are Made to Order - This should only apply to stock products.	Per Main Solicitation Document Section 5.12 - Product Returns and Exchanges: "In addition to the provisions of Appendix B, Title and Risk of Loss, Product Substitution, and Rejected Product, Products returned or exchanged due to quality problems, duplicated shipments, outdated Product, incorrect Product shipped, Contractor errors otherwise not specified, or Products returned or exchanged due to Authorized User errors, shall be replaced with specified Products or the Authorized User shall be credited or refunded for the full purchase price. Products shall be replaced within 10 business days of written notification to the Contractor of the Authorized User's intent to return or exchange the Product. Contractor can charge only a restocking fee for Product returned or exchanged due to Authorized User error that is determined not to be suitable for resale; the restocking fee cannot exceed the net price of the returned or exchanged Product."
36	Solicitation Main Document	Section 2.2 - Service Requirements	Could the State elaborate on E. 'While inside delivery and basic installation are optional services allowable under the Scope of this Solicitation, it is NOT the intent of this Solicitation to provide Authorized Users with a full-service furniture solution.'	The intent of the Solicitation is not to provide a comprehensive furniture solution that might entail services outside the scope of this Contract, including, for example, design services.
37	Solicitation Main Document	Section 2.2 - Service Requirements	What does the state define as a 'full-service furniture solution'.	Full-service furniture solution' should be interpreted as providing a comprehensive furniture solution that might entail services outside the scope of this Contract. Examples such as services of planning, design, customer support post-sale, and installation requiring Public Work and/or Prevailing Wage Rate Work.
38	Solicitation Main Document	Section 5.4 - Price List Updates	New manufacturer product lines may be offered within a price adjustment submission,- when can we add products if there is no price adjustment requested?	Price List Updates will be allowed twice per year, after the first anniversary of the Bid Opening. New manufacturer product lines should be included when submitting your Price List Update as long as they are within the originally awarded furniture product Category(s). Contractors are not required to adjust pricing during a price list update request, and may simply add new manufacturer products lines if they choose. See Section 5.4 - Price List Updates.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
39	Solicitation Main Document	Section 3.4 - Content	MWBE 100 & SDVOB 100 Utilization plans are required on the flash drive for submission? Or are these submitted after award?	All Bidders are required to submit a completed MWBE 100 and SDVOB 100 to be considered for Contract Award. Both completed documents should be included with the Bidders Bid. Refer to Section 3.4 Content for information pertaining to the required documentation at time of Bid submission.
40	Attachment 5 - Bidder Information Questionnaire	Question 42 - Total number of people employed by your business: Question 43 - Total number of people employed by your business in New York State:	It seems purposeful that you used 'business' rather than the 'entity/bidder' or may we include employees of affiliated entities that will be supporting the contract in the State of New York.	Please use the proposed workforce to be utilized in the performance of the Contract.
41	Solicitation Main Document	Section 5.12 - Product Returns and Exchanges	Replacement of product within 10 days is unrealistic in a made to order situation. Would the state take into consideration normal lead time for product replacement.	The Main Solicitation Document Section 5.12 - Product Returns and Exchanges has been revised as follows: "Stock products shall be replaced within 10 business days of written notification to the Contractor of the Authorized User's intent to return or exchange the Product. Products that are not stock shall be replaced within the normal delivery terms listed on Attachment 10 - Contact and Supplemental Information following written notification to the Contractor of the Authorized User's intent to return or exchange the Product.
42	Solicitation Main Document	Section 3.4 - Content	Are we to submit a searchable price list in addition to Attachment 1 - Required Info-23295 Pricing Excel sheet or is it one or the other?	Bidders are allowed the following three options for pricing submission: -A completed Attachment 1 - Pricing -A catalog with pricing -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.  If a catalog with pricing is submitted, Attachment 1-Pricing is not required.
43	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications	Can we submit proof of application for the State of New York licenses if we have not received the actual certificate by the time of bid submission?	There are no licensing requirements listed in this Solicitation.
44	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications	Can the manufacturer and a dealer both hold the contract at the same time?	Yes. Bidders must be an established Manufacturer of the products bid, or an Authorized Representative of an established Manufacturer of the products bid. See Main Solicitation Document Section 2.1.1 Bidder Qualifications A. Contract awards will be made to all responsive and responsible Bidders who meet qualifications as detailed in Section 2 - Bidder Qualifications and Service Requirements.
45	Solicitation Main Document	Section 4.1 - Method of Award	Will more than one dealer be awarded to the same product line?	Yes, there is potential for multiple bidders that are awarded a contract to carry the same product lines. Per Main Solicitation Document Section 4.1 - Method of Award: "Awards shall be made to all responsive and responsible Bidders that are able to meet the terms and conditions of this Solicitation and the requirements detailed in Section 2 - Bidder Qualifications and Service Requirements, and whose product offerings meet the Scope of this Solicitation, as detailed in Section 1.2 - Scope and whose prices indicate that those products will be provided at a reasonable price as determined by the NYS OGS."
46	Solicitation Main Document	Section 5.1 - Contract Terms and Extensions	What are the contracts terms is it a 5 year terms plus 5 additional year extensions? Is this 5 years extended or up to 5 (1) year extensions.	Per Main Solicitation Document Section 5.1 - Contract Term and Extensions: "The Contract will be in effect for a term of five (5) years. The Contract term shall commence after all necessary approvals and shall become effective upon the date of OSC approval of the final executed documents. All OGS Centralized Contracts resulting from this Solicitation shall have a co-terminus end date, including those Contracts awarded during any subsequent periodic recruitment. At the State's option, the Contract may be extended for up to five (5) years, in increments as deemed to be in the best interest of the State."  As such, the original Contract award is for a term of 5 years. Should the State exercise its option to extend the Contracts under the Award, the term of such extension(s) will be determined at that time.
47	Solicitation Main Document	Section 2.2.2 - Installation	If items are KD knock down/could require install for example if putting legs on the table is considered install.	Per the Main Solicitation Document Section 2.2.9 - Delivery Condition: "KD ('Knocked-Down') furniture shall be allowed, and the Authorized User shall have the option, prior to delivery, to either accept it as such, or request installation, as described in Section 2.2.2 - Installation. Other exceptions may be made with prior agreement between the Contractor and ordering Authorized User."
48	Solicitation Main Document	Section 1.2 - Scope	Since installation is included in this contract we want to make sure prevailing wage is not included per page 9.	Public Work and/or Prevailing Wage Rate Work (installation) is excluded. See Section 1.2 - Scope Exclusion # 11.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
49	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women	When utilizing a New York State certified MWBE does their office need to reside in New York .	No. All certified MWBE firms must have Authority to do Business in NYS.
50	Solicitation Main Document	Section 2.2.2 - Installation	Did you want inside delivery included in the pricing and when pricing installation is it priced as separate line item? ? For example, If Inside Delivery is offered at 12%, and installation is 20%. Do we submit installation at 20% or 8% as the difference between the two.	Per the Solicitation Main Document Section 2.2.2 - Installation B.: "Installation includes inside delivery as described in Section 2.2.1 – Delivery." The percentage utilized for Installation should include the cost for Inside Delivery.
51	Solicitation Main Document	Section 2.2.2 - Installation	Is the installation price in addition to the inside delivery price or is it a supplemental? Is it expected that a customer would select Inside Delivery and add Installation or is it expected that the inside delivery is included with Installation? For example, If Inside Delivery is offered at 12%, and installation is 20%. Do we submit installation at 20% or 8% as the difference between the two.	Per the Solicitation Main Document Section 2.2.2 - Installation B.: "Installation includes inside delivery as described in Section 2.2.1 – Delivery." The percentage utilized for Installation should include the cost for Inside Delivery. When an Authorized User requests Installation services they should only be charged for Installation as Installation includes Inside Delivery.
52	Solicitation Main Document	Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	When utilizing a New York State certified SDVOB does their office need to reside in New York .	No. All certified SDVOB firms must have Authority to do Business in NYS.
53	Solicitation Main Document	Section 3.4 - Content	Please confirm that a Bidder may submit a searchable PDF Manufacturer's Catalog or a PDF Manufacturer's Price List in lieu of an Attachment 1 - Pricing Excel Price List.	Bidders are allowed the following three options for pricing submission: -A completed Attachment 1 - Pricing -A catalog with pricing -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.  If a catalog with pricing is submitted, Attachment 1-Pricing is not required.
54	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	Can the bidder use a business that is a MWBE business or SDVOB business with certifications that are Federal or from another State?	No. Only firms certified by NYS Empire State Development (ESD) Division of Minority and Women's Business Development (DMWBD) can be utilized to meet MWBE participation goals on New York State contracts.
55	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	Can the bidder use a business that will satisfy multiple contract goals such as MWBE and SDVOB to achieve the contract goals?	No. MWBE's participation in a state contract may be counted towards either an MBE goal or a WBE goal but may not be counted towards both and the chosen designation (either MBE or WBE) must remain for the life of the contract.  However, if the firm is dual certified MWBE and SDVOB, that company may receive credit for both certifications.



Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
56	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Section 5.21 - Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	What type of services and products can the MWBE business or SDVOB business provide for the bidder?	<p>The utilization of NYS Certified MWBE/SDVOB Authorized Resellers is an acceptable means of satisfying the required participation goals.</p> <p>The centralized contracts created via this Solicitation permit vendors to participate as authorized resellers, dealers, distributors, or agents, which allows a manufacturer with a centralized contract award to market and support the contract statewide, creating additional sales opportunities. Also, the use of an authorized reseller, dealer, distributor, or agent promotes and provides opportunities for New York State's minority, or women-owned and small businesses.</p>
57	Solicitation Main Document	Section 1.2 - Scope	Many NYS Furniture Contract users purchase cosmetology furniture for their schools and/or office. What are the correct Furniture Product Categories for this product line in this bid?	Cosmetology furniture is out of the scope of this Solicitation.
58	Solicitation Main Document	Section 2.2.2 - Installation	Should installation labor be calculated using union, non-union or prevailing wage rates?	Installation should not be calculated using Public Work and/or Prevailing Wage Rates. Public Work and/or Prevailing Wage Rate Work (installation) is excluded. See Section 1.2 - Scope Exclusion # 11.
59	Solicitation Main Document	Section 5.3 - Price	Is there a limit to the size of the file for the combined PDF price lists?	No.
60	Solicitation Main Document	Section 5.3 - Price	Please confirm that we can submit electronically searchable PDF price lists in lieu of Attachment 1.	<p>Yes. Bidders are allowed the following three options for pricing submission:  -A completed Attachment 1 - Pricing  -A catalog with pricing  -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</p> <p>If a catalog with pricing is submitted, Attachment 1-Pricing is not required.</p> <p>Per the Main Solicitation Document Section 5.3 - Price: "Bidders must submit an Electronically Searchable Price List, such as Attachment 1 – Pricing, a PDF catalog or manufacturer's Price List in either MS Excel or PDF format, which includes base models, as well as options and/or upgrades, based upon the Categories they are bidding (See Attachment 13 - Category Matrix). Should a Bidder submit an Electronically Searchable catalog that does not contain pricing, an additional Price List containing pricing by Contractor Model/Item Numbers/SKU for those items must be submitted, in addition. Attachment 1 – Pricing may be used; however, it is not required."</p>
61	Attachment 13 - Category Matrix	Category Number	To provide current contract product offerings, please confirm which category modular walls should be included within.	Category 10 - Systems Furniture Includes, but is not limited to: a. products and parts to build cubicles and modular office space. This Category allows for the inclusion of modular walls.
62	Attachment 10 - Contact and Supplemental Information	Delivery % Installation %	Currently, the state of NY allows for "Installation of products such as systems furniture, etc. shall be handled by the ordering agency according to their purchasing guidelines." as a negotiated fee between the dealer and the agency. Under the new contract will it be a separate percentage rate of the cost added to the current 16% & 20.5% inside delivery charge or are we adding to that percentage. In the best interest of the end user can we have a negotiated rate and a percentage option to see which works best.	Per the Solicitation Main Document Section 2.2.2 - Installation B.: "Installation includes inside delivery as described in Section 2.2.1 – Delivery." The percentage utilized for Installation should include the cost for Inside Delivery. When an Authorized User requests Installation services they should only be charged for Installation as Installation includes Inside Delivery.
63	Solicitation Main Document	Section 1.2 - Scope	In order to meet the unique needs of an end user, we have the ability to customize many of our products. These customized products are referred to as 'specials'. These specials are defined as modifications to existing products that will maintain the primary product function and warranty. For example, if an end user requires a bookcase that needs five shelves instead of four. Specials are uniquely priced based upon the requested modification; as such, the list prices and model numbers of the specials are not published in our catalog or our list pricer. Please clarify if we can offer this 'specials' program upon contract award.	Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
64	Solicitation Main Document	Section 1.2 - Scope	We would like to request approval to include any standard special modifications to all products submitted. Our modification process may augment a product base model number in order to accommodate end user requests. This is a standard process on our GSA schedule.	Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
65	Solicitation Main Document	Section 1.2 - Scope	Are non contract items allowed to be placed on the same purchase order as contract items as long as they are clearly marked as "non-contract" or "open-market"?	Yes, non-contract items may be included within a single Purchase Order; however, each non-contract item should be clearly noted as such to avoid confusion.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
66	Solicitation Main Document	Section 1.2 - Scope	Please confirm that non-contract services such as design and project management, in addition to any public works and/or prevailing wage work can be negotiated off contract with an end-user.	Any services outside the scope of the Contracts resulting from this Solicitation may require the Authorized User to make a separate, non-contract purchase in accordance with the Authorized User's procurement guidelines.
67	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications, D.1.	Please confirm Bidder's may use their current State of New York Furniture contract to satisfy this requirement.	Yes, Bidders may use OGS contract sales within the years required to meet the proof of past sales requirements; however, per Section 2.1.1 - Bidder Qualifications E. 3.: "Proof of past sales revenue must be related to the Furniture products included within Section 1.2 – Scope. Bidders must show proof of past sales revenue in each of the three calendar years prior to the bid opening and may not have less than \$100,000 in sales revenue during any single year within the required 3-year period."  Bidders must show a minimum of \$100,000 in any of the three years prior to the bid opening.
68	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications, E.	Please confirm past State of New York Furniture contract sales will satisfy the "Proof of Past Sales Revenue" requirement, if those sales exceed \$1,500,000 over the 3 prior calendar years?	Yes, Bidders may use OGS contract sales within the years required to meet the proof of past sales requirements, if those sales are equal to \$1,500,000.00 (one-million five hundred thousand dollars) or greater over the three (3) calendar years prior to the Bid Opening Date (2020, 2021, and 2022) for Furniture products included in Section 1.2 – Scope.  Additionally, per the Main Solicitation Document Section 2.1.1 - Bidder Qualifications E. 3.: "Proof of past sales revenue must be related to the Furniture products included within Section 1.2 – Scope. Bidders must show proof of past sales revenue in each of the three calendar years prior to the bid opening and may not have less than \$100,000 in sales revenue during any single year within the required 3-year period."
69	Solicitation Main Document	Section 2.2.5 - Workmanship	Is ANSI/BIFMA certification required or preferred for all products offered?	Per the Main Solicitation Document Section 2.2.5 - Workmanship: "The assembly and finishing of all component parts shall be of the highest quality workmanship and comply with all applicable industry standards as set forth by, but not limited to, UL, ANSI/BIFMA, ASTM or OSHA."
70	Solicitation Main Document	Section 5.12 - Product Returns and Exchanges	Our products are custom made-to-order and as such we do not stock items. We are requesting the State approves allowing restocking fees as outlined in Attachment 10 for any items outside of warranty claims or Contractor error.	Per the Main Solicitation Document Section 5.12 - Product Returns and Exchanges: "Contractor can charge only a restocking fee for Product returned or exchanged due to Authorized User error that is determined not to be suitable for resale; the restocking fee cannot exceed the net price of the returned or exchanged Product." OGS declines to accept the requested revision.
71	Appendix B	7. Prevailing Wage Rates - Public Works and Building Services Contracts	Please confirm prevailing wage rates do not apply to this contract as the work provided under this contract does not include public works as defined by Article 8, Section 220 of NYS Labor Law.	Public Work and/or Prevailing Wage Rate Work (installation) is excluded. See Section 1.2 - Scope Exclusion # 11.
72	Appendix B	7. Prevailing Wage Rates - Public Works and Building Services Contracts	Please confirm prevailing wage rates only apply to the extent as required by regulation, no additional contract extension is intended.	Public Work and/or Prevailing Wage Rate Work (installation) is excluded. See Section 1.2 - Scope Exclusion # 11.
73	Appendix B	7. Prevailing Wage Rates - Public Works and Building Services Contracts	Please confirm prevailing wage rates do not apply to this contract as the work provided under this contract does not include building services as defined by Article 9, Section 230 of NYS Labor Law.	Public Work and/or Prevailing Wage Rate Work (installation) is excluded. See Section 1.2 - Scope Exclusion # 11.
74	Appendix B	43. Termination b. For Convenience	Will the State consider allowing mutual termination for convenience rights for both the Contractor and the State?	No. OGS declines to accept the requested revision.
75	Appendix B	48. Remedies for Breach a.	In the event of any reprocurement, will replacement products also be comparable in function, design, and cost in addition to the quality?	In accordance with Appendix B, Section 48(a), if the Authorized User is unsuccessful in obtaining replacement Product of equal of comparable quality, then the Authorized User may acquire replacement Product of lesser or greater quality. This would be at the Authorized User's discretion and subject to the Authorized User's form, function and utility determination.
76	Appendix B	64. Ownership/Title to Project Deliverables (a)(iii) and (b)(ii)	Please confirm that modifications to an existing product, to meet the unique needs of an end user, that maintain the primary product function of such existing product (which we refer to as a "special"), are not considered "Custom Products" under Appendix B. For example, if an end user requires a bookcase that needs five shelves instead of four, and we modify an existing bookcase to include one additional shelf, the resulting product is not considered a "Custom Product" under Appendix B.	This section is only applicable to Solicitations or Contracts that include the sale, development, maintenance, or use of information technology Products such as software, computer components, systems, or networks for the processing, and distribution, or storage of data. Please see note preceding Section 60 of Appendix B.
77	Attachment 4 - Insurance Requirements	A.3. Certificates of Insurance/Notices	Please provide an example for which full policies would be requested.	A copy of a Bidders/Contractors full insurance policy may be requested in the event OGS receives notice of a lawsuit involving the Bidder/Contractor.
78	Attachment 4 - Insurance Requirements	A.6. Self-Insured Retention/Deductibles	Please clarify process and timeline for approval of deductibles or self-insured retentions above \$100,000.	OGS' Bureau of Risk Insurance Management (BRIM) requires a completed questionnaire by the Bidder/Contractor, for review and approval. The review/approval process takes approximately 2-3 business days.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
79	Attachment 4 - Insurance Requirements	A.9. Additional Insured	We would like to add "All requirements for Additional Insured status in this Agreement shall be solely with respect to claims for which Subcontractor has an indemnifications obligation under this Agreement."	OGS declines to made the requested revision. This language would be interpreted to relieve the primary contractor of the responsibility of having to list NY State as an additional insured. It would only require the subcontractor to. The language under Attachment 4 Section 7. Addresses subcontractors additional insured requirement of CG 20 38 12 19 which makes this language un-necessary.
80	Appendix C - Contract Modification Procedure	Appendix C, Item 1 (a)	It states that updates that do not require a change to terms and conditions, such as adding new products or services within an already established previously approved pricing structure would be considered an update. Does this mean manufacturers are not required to seek approval for "updates" if the change does not result in a change in pricing methodology? If an approved series is expanded, do the new models need submitted and approved, or can we just add to contract? Please provide additional clarification.	All revisions to a Contractors previously approved price list must be submitted to OGS for review and approval- this includes the addition or deletion of items, as well as pricing changes. As specified in Appendix C, Section 1a, "Updates must be submitted to OGS for review, and must be accompanied by a justification of reasonableness of price if the change results in a change in pricing methodology. OGS will notify Contractor in writing if approved.  Additionally, per Section 5.4 (E) Price List Updates-Contractors should contact the OGS contract manager for the most current price list update procedures and forms. Contractors shall submit their price list update request to the OGS Procurement Services contract manager pursuant to the requirements of this Section for review and written approval prior to use.
81	Appendix D - Federal Funding Agency Mandatory Terms and Conditions	Appendix D - Federal Funding Agency Mandatory Terms and Conditions	Please confirm it is the responsibility of the Authorized User to notify the Contractor prior to order placement when federal funds are being utilized.	Although it is best practice to communicate this information, there is no requirement that Authorized Users notify Contractor's that federal funds are being utilized prior to placing an order.
82	Solicitation Main Document	Section 2.2.2 - Installation	Does installation have to be a % of the sale price – we have many products that require different degrees of assembly – is it possible to quote installation by project.	Installation is an additional cost represented by a percentage above the net price charged and may be charged at a different percentage rate for Downstate and Upstate, and not by project. Any deviations from the installation requirements are outside the scope of the Contracts resulting from this Solicitation, and may require the Authorized User to make a separate, non-contract purchase in accordance with the Authorized User's standard purchasing rules and procedures.
83	Solicitation Main Document	Section 3.6 - Bid Delivery	We will be using FedEx to deliver the bid document to address provided on page 20. in order to create a waybill, FedEx requires contact name and phone number. Can you please provide?	Please utilize the following information found on page 1 of the Main Solicitation Document:  Primary Designated Contact: Bradford Deforge Phone: 518-473-3876
84	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications	In 2022, Bidder A was registered as a fully owned subsidiary of Bidder B. Its primary purpose is to serve as a sales office for Bidder B's business in the US. All new Sales orders/contracts were transitioned to Bidder A, and as existing Agreements/Contracts are being renewed, we are moving them from the parent company in Canada to Bidder A in the US. As per paragraph 2.1.1 Bidder Qualifications, sections A, B, C, D, and E, is it acceptable to report the sales revenue history, government entity contracts, etc. of the parent company Bidder B until the rollover is complete?	All proof of past sales provided by the Bidder must be sales made by the entity submitting a Bid that were made during the three calendar years prior to the Bid Opening (2020, 2021, and 2022). Per the Main Solicitation Document Section 2.1.1 - Bidder Qualifications E. "A Bidder must provide proof of total past sales revenue equal to \$1,500,000.00 (one-million five hundred thousand dollars) or greater over the three (3) calendar years prior to the Bid Opening Date (2020, 2021, and 2022) for Furniture products included in Section 1.2 – Scope, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.). Proof of past sales is not limited only to the Categories being bid.
85	Solicitation Main Document	Section 3.4 - Content	With regard to Form EEO 100-Equal Employment Opportunity Staffing Plan - In the past we completed such employee demographics for our company in another country. Now with our subsidiary United States sales office do we need to complete this document for US employees, or the combined employee population?	The EEO 100 should be completed using the composition of the proposed workforce to be utilized in the performance of the Contract by the specified categories listed.
86	Appendix B	8. Taxes	Our price book does not include applicable state taxes, they are listed as a separate line item on our quote unless we receive evidence of exemption, is this acceptable?	No. In accordance with Appendix B, Section 8(a), the quoted prices must include all taxes applicable to the transaction.  Additionally, per Section 5.32 Non-State Agencies Participation in Centralized Contracts: Upon request, all eligible non-State agencies must furnish Contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. Also, per Appendix B, Section 8(b), "Purchases made by the State of New York and certain non-State Authorized Users are exempt from New York State and local sales taxes and, with certain exceptions, federal excise taxes."
87	Solicitation Main Document	Section 3.4 - Content	Form EEO 100-Equal Employment Opportunity Staffing Plan - is there a Job Category Identification definition page, as there is for the Race/Ethnic Identification?	Yes. It can found at the following link: <a href="https://ogs.ny.gov/system/files/documents/2018/07/eoo101classguide.pdf">https://ogs.ny.gov/system/files/documents/2018/07/eoo101classguide.pdf</a>
88	Attachment 10 - Contact and Supplemental Information	Prompt Pay Discount	If a discount is offered, it would be based on date product is shipped from plant, will the state accept these terms?	Prompt payment discounts are for payments made in less than 30 days after receipt of a proper invoice. OGS declines to accept the requested revision.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
89	Attachment 5 - Bidder Information Questionnaire	Question 11 - Bidder's PRINCIPAL PLACE OF BUSINESS: "Principal Place of Business" is the location of the primary control, direction and management of the enterprise (State of).	The parent company is located in Canada. Do we insert the Canadian address as PRINCIPAL PLACE OF BUSINESS or the US Sales office address?	The "Principal Place of Business" is the location of the primary control, direction and management of the enterprise.
90	Solicitation Main Document	Section 3.4 - Content	We are not expected to show discounting on the PDF price lists, correct? That is only if it is in the Excel format?	If submitting a PDF catalog or manufacturer's Price List in either MS Excel or PDF format instead of Attachment 1 - Pricing then your discount would only be reflected on Attachment 10 - Contact and Supplemental Information.
91	Solicitation Main Document	Section 3.4 - Content	Is Optical Character Recognition conversion necessary for a responsive bid?	Yes, if submitting a PDF catalog or manufacturer's Price List in PDF format.
92	Attachment 14 - Supplier Manufacturer's Certificate	Attachment 14 - Supplier Manufacturer's Certificate	This is not needed unless a dealer is the type of entity bidding this contract, correct? We are a manufacturer, so we do not need to fill this out?	Manufacturers submitting a Bid are not required to complete Attachment 14 - Supplier Manufacturer's Certificate.
93	Attachment 16 - Proof of Past Sales	Attachment 16 - Proof of Past Sales	With 2020 and 2021 being "COVID" years, that hindered state purchasing and budgets, would you be open to a couple more years of contract order history?	No, OGS declines to make the requested revision. Proof of past sales provided by the Bidder must be for sales made during the three calendar years prior to the Bid Opening (2020, 2021, and 2022), as noted in Section 2.1.1. E.
94	Solicitation Main Document	Section 1.2 - Scope	Please clarify exclusion #3 re: wall hangings. Our company offers acoustic solutions for office users which can be hung on walls, or from ceilings. Would these be considered as office products and allowed?	No. Wall hangings, mirrors, easels, chalk boards, white/dry erase boards, smart boards, and cork boards are excluded.
95	Attachment 1 - Pricing	Pricing	I understand that we list the catalog or price list in cell H-2. We have approx. 80 catalogs - do we copy/create a new spreadsheet for each catalog/price list?	Attachment 1 - Pricing has been revised. The required entry for Catalog/List Price Name in Cell H-2 has been removed.  All items bid must be included on a single Attachment 1 - Pricing spreadsheet.
96	Attachment 1 - Pricing	Pricing - Column A	Are we to add every model number in column A. If that were possible we'd have over 2 million lines of possible options. Please explain how we should respond to Column A.	Bidders are allowed the following three options for pricing submission: -A completed Attachment 1 - Pricing -A catalog with pricing -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.  Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
97	Solicitation Main Document	Section 2.2.2 - Installation	Please clarify if a product is shipped "knocked down", which would include some free-standing furniture, can an additional charge be added to assemble?	Per the Main Solicitation Document Section 2.2.9 - Delivery Condition: "KD ('Knocked-Down') furniture shall be allowed, and the Authorized User shall have the option, prior to delivery, to either accept it as such, or request installation, as described in Section 2.2.2 - Installation. Other exceptions may be made with prior agreement between the Contractor and ordering Authorized User."
98	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications D.	Can the other contract we hold be a different state contract (i.e. State of North Carolina)?	Yes. Per the Main Solicitation Document Section 2.1.1 - Bidder Qualifications E.: "A Bidder must provide proof of total past sales revenue equal to \$1,500,000.00 (one-million five hundred thousand dollars) or greater over the three (3) calendar years prior to the Bid Opening Date (2020, 2021, and 2022) for Furniture products included in Section 1.2 – Scope, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.)."
99	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications E.	We sell through a dealer network. Most of our sales through these dealers are to the K-12 and Higher Ed market. Do we have to report each individual sale or can we provide a total company annual sales figure showing we meet the \$1,500,000 requirement?	Per the Main Solicitation Document Section 2.1.1 - Bidder Qualifications E.: "The Bidder shall provide proof of past sales information that contains at a minimum the Contract Number or purchase order number the sale(s) were made under, the Government Entity name, product item number and description, date of sale, list price, discount percentage, and net sale amount." A summary of past sales is not acceptable to meet the requirements.
100	Solicitation Main Document	Section 5.18 - Insurance	Since we will be utilizing authorized resellers, is it to be assumed they must also be able to meet the same insurance requirements of us as the bidder?	No. Bidder/Contractor shall be fully liable for an Authorized Reseller's performance and compliance with all Contract terms and conditions. See Section 5.34 - Authorized Resellers D.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
101	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women	Since we will be utilizing authorized resellers, the only way we would be able to meet the MWBE or SDVOB requirements would be if any of those resellers meet those requirements. Or in the event an end user would need the purchased product installed, those dealers may be able to utilize a firm that meets those requirements. Just to understand, are you saying 30% of our total monthly sales have to meet those requirements or we would be subject to liquidated damages?	MWBE resellers who have been approved in accordance with the Contract must be identified on the form provided in Reseller Directory for vetting by the MWBE office. The 30% MWBE goal is an overall contract goal for the duration of the contract term. The MWBE goal is in addition to the 6% SDVOB goal.
102	Attachment 1 - Pricing	Attachment 1 - Pricing	Do we have to list each individual line we offer or can one line that refers to our price list be submitted? Like many manufacturers who respond we have literally thousands of different items available.	<p>Bidders are allowed the following three options for pricing submission:</p> <ul style="list-style-type: none"><li>-A completed Attachment 1 - Pricing</li><li>-A catalog with pricing</li><li>-A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.</li></ul> <p>Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.</p>
103	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications D.	As the current authorized reseller of a contract in Group #20915, with the ability to take orders, ship direct, and receive payment directly (purchase order addressee), we are seeking to become the named	No. Per Main Solicitation Document Section 2.1.1 Bidder Qualifications D.: "A Bidder must currently hold at least one Government Entity contract (GSA contract, State contract, Local Governmental Entity contract, BOCES
104	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications E.	As the authorized reseller with the ability to take orders, ship direct, and receive payment directly (purchase order addressee), our company has over \$6 million in NYSC past sales revenue under Group #20915 in the past 3 calendar years (2020, 2021, 2022), including over \$3 million in NYSC sales as the direct addressee of the purchase order or contract. Per section 2.1.1.E, these past sales are for Furniture products included under Section 1.2 - Scope and are to Authorized Users who are eligible to use State contracts (Schools). Will this serve to satisfy the requirements of Section E "A Bidder must provide proof of total past sales revenue equal to \$1.5M or greater . . . ?" Detailed proof of past sales will be submitted under Attachment #16 with the bid.	<p>Per Main Solicitation Document Section 2.1.1 Bidder Qualifications E.: "A Bidder must provide proof of total past sales revenue equal to \$1,500,000.00 (one-million five hundred thousand dollars) or greater over the three (3) calendar years prior to the Bid Opening Date (2020, 2021, and 2022) for Furniture products included in Section 1.2 – Scope, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.)."</p> <p>Additionally, per Section 4.1 - Method of Award: Awards shall be made to all responsive and responsible Bidders that are able to meet the terms and conditions of this Solicitation and the requirements detailed in Section 2 - Bidder Qualifications and Service Requirements, and whose product offerings meet the Scope of this Solicitation, as detailed in Section 1.2 - Scope and whose prices indicate that those products will be provided at a reasonable price as determined by the NYS OGS.</p>
105	Solicitation Main Document	Section 2.1 - Qualifications	Can we show proof of 1.5M sales under any state contract outside of NY? Assuming so, but wanted to verify.	Yes. Per Main Solicitation Document Section 2.1.1 Bidder Qualifications E.: "A Bidder must provide proof of total past sales revenue equal to \$1,500,000.00 (one-million five hundred thousand dollars) or greater over the three (3) calendar years prior to the Bid Opening Date (2020, 2021, and 2022) for Furniture products included in Section 1.2 – Scope, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.)."
106	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications E.	Does the Bidder have to prove 1.5M in sales for each category, or for the total of categories as a whole?	Proof of past sales should be the total for all categories being Bid.
107	Solicitation Main Document	Section 5.12 - Product Returns and Exchanges	In the event of an issue with the product as outlined, will credit or refund be at the State of NY/Authorized User's option or at the contractor choice.	The option of receiving a credit or a refund is at the discretion of the Authorized User.
108	Solicitation Main Document	Section 1.2 - Scope Exclusion # 5	The following item is listed as an exclusion: "Metal lockers/lockers requiring fixed installation and/or public works." Please clarify if metal lockers/lockers which are freestanding are allowable as storage options.	Metal lockers are not within the Scope of this Solicitation; however, the following are within Scope in Category 8: standalone multi-use wooden storage unit/cubby units, and cube units/organizers.
109	Solicitation Main Document	Section 1.2 - Scope Exclusion # 5	The following item is listed as an exclusion: "Dollies, chair and table carts." Please clarify if dollies specific to stacking chairs are allowable in order to best service the customer and support the product need.	The Solicitation has been revised-Exclusion #8 - Dollies, chair and table carts has been removed. Dollies, chair and table carts are now included under Categories 1, 7, and 8. Please see revised Section 1.2 - Scope, and Revised Attachment 13-Category Matrix.
110	Solicitation Main Document	Section 1.2 - Scope Exclusion # 5	The following item is listed as an exclusion: "Additional charges and fees not specifically listed within the Contact and Supplemental Information sheet (for example, surcharges, fuel charges, storage fees, liftgate service fees, credit card fees, etc.)." Please confirm that if the Contractor specifically notates additional charges or extenuating circumstances that these will not be considered an exclusion (ex: liftgate, storage, etc.).	Additional charges and fees not specifically listed within the Contact and Supplemental Information sheet (for example, surcharges, fuel charges, storage fees, liftgate service fees, credit card fees, etc.) are excluded and are not permitted for inclusion on Attachment 10 - Contact and Supplemental Information. The only Additional charges and fees permissible on Attachment 10 are Inside Delivery Cost as % of Final Price, Installation Cost as % of Final Price, and Restocking Fee (% of net price).



Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
111	Solicitation Main Document	Section 1.2 - Scope Exclusion # 5	The following item is listed as an exclusion: "Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.), and List Price." Please clarify if customized products are allowable, so long as a model is provided with list pricing. It is not uncommon that a purchaser may require a specific dimension, and providing custom options may best support their need.	Per the Main Solicitation Document Section 1.2 - Scope: "Products, including fabrics and finishes, must have an established identifying number, such as a model number, stockkeeping unit (SKU), etc., and a defined List Price. Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.), and List Price will not be allowed."
112	Solicitation Main Document	Section 1.2 - Scope Exclusion # 10	Under Section 2.2 Service Requirements, the delivery states that "inside delivery" is required with the offer, but may result in additional charges. The NOTE also references: "Any deviations from the above delivery requirements are outside the scope of the Contracts resulting from this Solicitation and may require the Authorized User to make a separate, non-contract purchase in accordance with the Authorized User's standard purchasing rules and procedures." Furniture, especially Systems or modular/benching solutions, often require more complex installation and may require design and space planning. Please clarify if this is annotating that "design" or "project management" would need to be a separate, non-contract purchase, or if it is included on Attachment 10 that it may be part of the contract's purchase.	Design or Project Management Services are outside the scope of this Solicitation and would need to be procured separately by the Authorized User subject to their own procurement policies and guidelines.
113	Solicitation Main Document	Section 1.2 - Scope Exclusion # 13	Our room furnishings (End table cabinets – wardrobes – storage – Head_foot boards, etc.) are suitable for dormitory rooms or hospitals. In this instance, please confirm these are not required to be excluded due to the fact that they may be used in hospital setting as well.	Items suitable for use as Dormitory Furniture are permitted, as per Category 2: Dormitory Furniture Includes, but is not limited to: a. bedroom, lounge, and dining hall furniture suitable for school dormitory (generally more durable and versatile than household); b. in room storage and desks.  Items submitted with a Bidders Bid that meet the scope of the Solicitation will be considered for award.
114	Solicitation Main Document	Section 1.2 - Scope Exclusion # 14	Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.), and List Price. Please confirm if SPCLS (sizes, etc.) requested by the end user are allowed?	No. Per the Main Solicitation Document Section 1.2 - Scope: "Products, including fabrics and finishes, must have an established identifying number, such as a model number, stockkeeping unit (SKU), etc., and a defined List Price. Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.), and List Price will not be allowed."
115	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications E.	Provide Proof of Sales for Government Contract, Will proprietary information be considered?	Yes. Per Appendix B 6. a. Bidder/Contractor: "Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission by the Bidder/Contractor. Marking the Bid as "confidential" or "proprietary" on its face or in the document header or footer shall not be considered by the Commissioner or Authorized User to be sufficient without specific justification as to why disclosure of particular information in the Bid would cause substantial injury to the competitive position of the Bidder/Contractor. Bidders/Contractors intending to seek an exemption from disclosure of these materials under the Freedom of Information Law must request the exemption in writing, setting forth the reasons for the claimed exemption. The Commissioner's or Authorized User's receipt/acceptance of the claimed materials does not constitute a determination on the exemption request, which determination will be made in accordance with statutory procedures. Properly identified information that has been designated confidential, trade secret, or proprietary by the Bidder/Contractor will not be disclosed except as may be required by the Freedom of Information Law or other applicable State and federal laws."
116	Solicitation Main Document	Section 2.2.1 - Delivery	Are flat rates allowed instead of percentage?	No. Inside Delivery is an additional cost represented by a percentage above the net price charged and may be charged at a different percentage rate for Downstate and Upstate.
117	Solicitation Main Document	Section 2.2.2 - Installation	Are flat rates allowed instead of percentage?	No. Installation is an additional cost represented by a percentage above the net price charged and may be charged at a different percentage rate for Downstate and Upstate. Installation includes inside delivery as described in Section 2.2.1 – Delivery.
118	Solicitation Main Document	Section 2.2.2 - Installation E.	May an awarded Contractor charge for installation drawings, hardware/parts and design services when requested by the purchaser?	No. Installation drawings, hardware/parts and design services are outside the scope of this Solicitation and would need to be procured separately by the Authorized User subject to their own procurement policies and guidelines.
119	Solicitation Main Document	Section 2.2.3 - Catalogs	Please confirm electronic catalogs are acceptable.	Catalogs and Price Lists may be furnished in either hard-copy or electronic format.
120	Solicitation Main Document	Section 2.2.9 - Delivery Condition	Knocked Down furniture is allowed with prior Authorized User acceptance. Will additional delivery/Installation charges be allowed, if the authorized User will not accept KD furniture without the contractor available on-site to assemble?	Per the Main Solicitation Document Section 2.2.9 - Delivery Condition: "KD ("Knocked-Down") furniture shall be allowed, and the Authorized User shall have the option, prior to delivery, to either accept it as such, or request installation, as described in Section 2.2.2 - Installation. Other exceptions may be made with prior agreement between the Contractor and ordering Authorized User."



Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
121	Solicitation Main Document	Section 4.1 - Method of Award	Our Federal Supply Schedule (GSA MAS Contract) receives our deepest end user discounting. For pricing compliance and due to different terms, and conditions, we are not mirroring this discount structure.	Per the Main Solicitation Document Section 4.1 - Method of Award: The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure."
122	Solicitation Main Document	Section 4.5 - Procurement Instructions for Authorized Users C.	May a Contractor or their Authorized Dealers offer volume discounts for individual orders which do not conform with what is shown on the Contractors Contact and Supplemental Information page posted on the OGS Website?	Yes. Per Main Solicitation Document Section 4.5 - Procurement Instructions for Authorized Users C.: "Authorized Users are strongly encouraged to seek a minimum of three (3) quotes, where possible, as well as to seek better than Contract pricing for all items, especially when purchasing in volume, as Contractors may or may not automatically offer volume discounts."
123	Solicitation Main Document	Section 4.5 - Procurement Instructions for Authorized Users D.	Must a Manufacturer disclose the use of an internal Order Form Checklist they use to ensure all required details are provided on the PO from their Authorized Dealers if it doesn't contain any additional terms and conditions?	Yes. Per the Main Solicitation Document Section 4.5 - Procurement Instructions for Authorized Users: "Contractor must disclose any forms or other order information that Contractor will attach to orders or require to be completed with Authorized User purchases. Documents, which contain additional terms or conditions, must receive pre-approval by the Authorized User. Additional terms or conditions that were not pre-approved by the Authorized User, or which conflict with the Contract terms and conditions, are void and unenforceable at the sole discretion of the State."
124	Solicitation Main Document	Section 5.3 - Price	May a Contractor update their List Prices twice at any time after the first anniversary of the bid opening date, or are there specific windows for one or both Price List updates thereafter?	Yes, price lists can be updated twice a year at any time after the first anniversary of the bid opening date. Price list updates may not be allowed within 90 days of a prior price list update approval unless deemed within the best interest of the state.
125	Solicitation Main Document	Section 5.12 - Product Returns and Exchanges	Product must be replaced with 10 days of returns. Depending on the product being replaced, 10 days may not be within the standard delivery timeframe. Please confirm if exceptions to this timeframe are allowed? Made-to-order furniture often takes longer than to days to produce.	The Main Solicitation Document Section 5.12 - Product Returns and Exchanges has been revised as follows: "Stock products shall be replaced within 10 business days of written notification to the Contractor of the Authorized User's intent to return or exchange the Product. Products that are not stock shall be replaced within the normal delivery terms listed on Attachment 10 - Contact and Supplemental Information following written notification to the Contractor of the Authorized User's intent to return or exchange the Product."
126	Solicitation Main Document	Section 5.14 - Contract Administration	Bidder shall also provide an afterhours contact in the event of an emergency occurring after business hours or on weekend/holidays. Is a local sales representative an acceptable after hours point of contact?	The Emergency Contact a Bidder utilizes is at the Bidder's discretion and should be an Authorized Representative of the Bidder.
127	Solicitation Main Document	Section 5.34 - Conditions of Authorized Reseller Participation B.	We respectfully request the first sentence in the second paragraph be revised to, "All Authorized Resellers who have been approved in accordance with the foregoing paragraph shall be eligible to quote lower pricing for procurements under this Contract which meet their qualifying criteria and are approved in advance by the Contractor." to ensure that the Contractor has visibility and control over all contract pricing being quoted through their Agreement.	OGS declines to accept the requested revision.  Attachment 12 - Contractor and Reseller Distributor Information Sheet includes a box where Bidders can indicate if an Authorized Reseller is permitted to take orders, deliver product and/or receive payment.
128	Solicitation Main Document	Section 5.35 - New Accounts	May other Authorized Users besides State Agencies be required to provide credit references or complete a credit application?	Only State Agencies shall not be required to provide credit references or complete a credit application.
129	Solicitation Main Document	Section 1.2 - Scope Exclusions	12. Outdoor furniture including but not limited to tables, chairs, trash bins, and bike racks is listed as an exclusion. We offer weather resistant chairs and tables which could be utilized both outdoors and indoors. May we offer these products?	Outdoor furniture is excluded from the Scope of this Solicitation. Items submitted with a Bidders Bid that meet the scope of the Solicitation will be considered for award.
130	Solicitation Main Document	Section 1.2 - Scope Exclusions	13. Hospital Room and Patient handling Furniture is listed as an exclusion. We offer items in this category which could be utilized in dorm rooms, which is an accepted category. May we offer these products?	Hospital Room and Patient handling Furniture is excluded; however, items suitable for use as Dormitory Furniture are permitted, as per Category 2: Dormitory Furniture Includes, but is not limited to: a. bedroom, lounge, and dining hall furniture suitable for school dormitory (generally more durable and versatile than household); b. in room storage and desks.  Items submitted with a Bidders Bid that meet the scope of the Solicitation will be considered for award.
131	Solicitation Main Document	Section 2.2 - Service Requirements	C. Delivery shall be expressed in number of calendar days required to make delivery after receipt of a Purchase Order (or P-Card order). Product is required as soon as possible, and guaranteed delivery may be considered in making award. We have standard lead times and we respectfully request that we can adhere to these lead times.	Delivery (ARO) lead time should be listed on Attachment 10 - Contact and Supplemental Information.

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
132	Solicitation Main Document	Section 5.20 - Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women VII - Required Good Faith Efforts	Are good faith estimates required throughout the term of the contract or just for the initial response, should a respondent need to request a waiver?	The contractor must document its good faith efforts toward meeting certified minority- and women-owned business enterprise (MWBE) utilization plan throughout the duration of the contract term as stated in the 5 NYCRR §142.8 - Contractor's good faith efforts.
133	Solicitation Main Document	Section 5.4 - Price List Updates D.	We respectfully request the last sentence in this clause be deleted because it is inequitable to unilaterally change material terms such as these after Agreements have been executed. OGS has clearly defined the price list update process so it should remain effective throughout the entire term of the Agreement. This also conflicts with Section 5.3(I), which indicates prices must only be held firm during the Agreement's first year, not the last year as well.	OGS declines to accept the requested revision.
134	Solicitation Main Document	Section 5.7 - Volume Discounts	Could OGS revise this clause to, "Discounts may be increased during the Contract term by the Contractor on a task-order basis"? We would prefer the term clearly keeps control of all contract discounting directly with the Contractor, and the referenced Section 5.4 – Price List Updates does not address any aspects of providing discounting that is deeper than awarded.	OGS respectfully declines to accept the requested revision. Authorized Users are encouraged to pursue greater discounts at their discretion. Bidders/Contractors may offer better discounts than what is posted on their Attachment 10 – Contact and Supplemental Information at any time.
135	Solicitation Main Document	Section 5.8 - Ordering	May a Contractor specify that Purchase Orders may be placed either directly with the Contractor or their Authorized Dealers (resellers) approved to accept them? Appendix B, Purchase Orders indicates "Unless otherwise specified, all Purchase Orders against Centralized Contracts will be placed by Authorized Users directly with the Contractor..." so we would like to specify it to conform with our standard ordering process which allows orders to be cut to either the dealer or Contractor.	Yes. The Solicitation terms take precedence over Appendix B. Per the Main Solicitation Document Section 1.13 - Conflict of Terms: "Conflicts among the documents shall be resolved in the following order of precedence:  1. Appendix A, Standard Clauses for New York State Contracts; 2. The Solicitation; 3. Appendix B, General Specifications; 4. All other appendices and attachments to the Solicitation; 5. The Bidder's Bid.  Attachment 12 - Contractor and Reseller Distributor Information Sheet includes a box where Bidders can indicate if an Authorized Reseller is permitted to take orders, deliver product and/or receive payment.
136	Attachment 1 - Pricing	Required Info tab	May a furniture manufacturer populate this spreadsheet using one model from each Price List as a representative sample of what may be available to purchasers? Furniture is most commonly made-to-order so product attributes change substantially per the unique specifications which may apply to each item. For example, different types of Recycled Content may vary substantially based on how an item is specified, which may bring it in or out of compliance with these standards. We offer thousands of models and each of them may be specified in many unique configurations so it is impossible to populate this sheet as described for every product which will be available through this Agreement.	Bidders are allowed the following three options for pricing submission: -A completed Attachment 1 - Pricing -A catalog with pricing -A catalog without pricing submitted with Attachment 1 - Pricing that contains pricing.  Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.3 - Price. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.4 - Price List Updates.
137	Attachment 1 - Pricing	Required Info tab	Should bidders complete an Attachment 1 for each price list being submitted? We support several price lists for different trade styles of products but there is only one place to identify a price list on this form. We don't want our submission to be considered noncompliant because it reflects products which are found in a Price List other than the one noted at the top of the form.	Attachment 1 - Pricing has been revised. The required entry for Catalog/List Price Name in Cell H-2 has been removed.  All items bid must be included on a single Attachment 1 - Pricing spreadsheet. Additional rows may be added to the Required Info-23295 Pricing tab. Any attempt to make other changes to the spreadsheet, such as adding or deleting columns, formulas, changing column headers, etc., may result in rejection of the bid.
138	Solicitation Main Document	Section 2.1.1 - Bidder Qualifications, Page 13, Paragraph A	Are dealers allowed to bid this contract on behalf of manufacturers?	Yes. Per Main Solicitation Document Section 2.1.1 - Bidder Qualifications A.:  "A Bidder must be either: 1. An established Manufacturer of the products bid, or 2. An Authorized Representative of an established Manufacturer of the products bid."

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
139	Solicitation Main Document	Section 2.2.1 - Delivery, Page 14, Paragraph B	For the example in paragraph B... GSA considers this to be an installation charge. Our GSA contract also does not contain language that allows us to charge inside delivery. By requiring bidders to only allow installation to be charged on specific items (those that are "KD") this also differentiates from the terms & conditions of our GSA contract making this bid a different scope of contract than our GSA contract. GSA certainly receives best discounting as required. Does this mean we then do not have to mirror our GSA discounting for intents and purposes of this bid?	Per the Main Solicitation Document Section 4.1 - Method of Award: " Pricing shall be a discount from Manufacturer's List Price and shall be equal to or better than any other offered to another Government Entity for the same type of products. Discounts will be confirmed by comparison with other Government Entity contracts held by the Bidder. The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure"
140	Solicitation Main Document	Section 2.2.1 - Delivery, Page 14, Paragraph D	"Price shall include.... ....tailgating of load....bringing the load to the tail of the truck... for authorized user personnel to remove the load without entering the truck" We currently do not have a contract that explicitly states this. We hold a GSA contract and several others where pricing does not include this service. We are not able to offer our best discounting when we are providing additional services that are outside of the scope of our GSA contract. Will the state consider removing language for best discounting due to differentiated services and scope of contract?	OGS declines to accept the requested revision. Per the Main Solicitation Document Section 4.1 - Method of Award: " Pricing shall be a discount from Manufacturer's List Price and shall be equal to or better than any other offered to another Government Entity for the same type of products. Discounts will be confirmed by comparison with other Government Entity contracts held by the Bidder. The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure"
141	Solicitation Main Document	Section 3.4 - Content, Notes to Bidder, Page 19, #2	"Bidders must provide a discount; full List Price will not be accepted." Does this mean if we are submitting an electronic searchable price list, we need to include a discount on the pages of the price lists? Not sure if this requirement listed is indicative of Attachment 10 or if this is an additional requirement to be contained within the price lists being submitted.	If submitting a PDF catalog or manufacturer's Price List in either MS Excel or PDF format instead of Attachment 1 - Pricing then your discount would only be reflected on Attachment 10 - Contact and Supplemental Information.
142	Solicitation Main Document	Section 4.1 - Method of Award	"Pricing shall be a discount from the manufacturer's list price and shall be equal to or better than any other offered to another government entity for the same type of products." We respectfully ask the state to remove this language because this bid encompasses services & language (described above) unique and that are outside the scope of our contracts that receive best discounting.	OGS declines to accept the requested revision. Per the Main Solicitation Document Section 4.1 - Method of Award: " Pricing shall be a discount from Manufacturer's List Price and shall be equal to or better than any other offered to another Government Entity for the same type of products. Discounts will be confirmed by comparison with other Government Entity contracts held by the Bidder. The Bidder must supply copies of their current contract Price Lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. If a Bidder holds another contract that requires them to offer a better discount than to any other entity, then the Bidder will be required to provide a copy of the contract language. If a Bidder holds another contract in which the price is F.O.B. origin, then OGS will allow up to a three (3) percent difference in the discount structure".
143	Solicitation Main Document	Section 5.3 - Price, Page 25 Item C.	The requirement in C would be cumbersome for us to complete for this bid. We would have to go through every model number on every page of our price lists to evaluate how that product is produced and cartooned to know if the base is attached, etc. We respectfully request this be omitted as a requirement.	OGS declines to accept the requested revision.
144	Solicitation Main Document	Section 5.5 - Best Pricing Offer Page 26	We really just request the state to evaluate how the scope of this bid differs from other contracts. When terms and conditions are added to an existing contract, it alters the way a manufacturer is able to do business. Understanding that manufacturers rely on their dealers to provide installation services is a crucial element in how these services are provided and paid for. There is a balance between discounting on product and installation charges that is maintained in order for manufacturers to offer best discounting.	OGS declines to accept the requested revision. Per Section 2.2.2 - Installation B. "Bidders have the option of offering installation, which may be at an additional cost represented by a percentage above the net price charged and may be charged at a different percentage rate for Downstate and Upstate."